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REMARKS

OF

MESSRS. GROW, QUITMAN, AND T. L. HARRIS,

ON THE

MISSOURI COMPROMISE,

AND THE

RESPONSIBILITY FOR THE ORGANIZATION OF THE HOUSE.

DELIVERED JANUARY 18 AND 19, 1856.

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MISSOURI COMPROMISE, ETC.

FRIDAY, January 18, 1856.

Mr. GROW said: Mr. Clerk, I have refrained from participation in the debates of this Hall until an organization of the House should be effected, and I do not now propose to say anything in reference to the legitimate legislation of the country until the attainment of that result. But as to the responsibility for the organization of this House which has been raised here this morning, I propose to say a few words. The responsibility should rest on those who have produced the state of things we find in this Hall and the country. It is not a question of figures or votes, whether this or that man could have been elected by transferring votes from this or the other candidate.

What has produced the present state of things? Why cannot this House organize? At the opening of the last Congress, peace reigned in every quarter of the country, and men came here from every section with fraternal feelings. There were no disturbing elements to jar the universal harmony of sentiment. "The dead past had buried its dead." The bitter controversies of previous years had ceased, and sectional quarrels were for the time forgotten. No note of discord was heard in the councils of the nation, and the future was unclouded and bright; yet, in violation of good faith, mutually pledged by the representatives of the two great political parties of the country, "to resist the further agitation of the slavery question in Congress or out of it," a time-honored compromise between the two sections of the Union was trampled under foot, thus opening, under the sanction of the Government, a vast territory to the introduction of slavery, from which our fathers agreed that it should be forever excluded. Upon the men, and the influence that secured its abrogation, rests the responsibility for our want of organization at this time.

It was declared here, as a reason for the repeal of that compromise, that it was necessary to take the question out of Congress. The effort to take it out has been a civil war in Kansas, and a sectional strife unparalleled in the history of the

country. Such is the result thus far of the attempt to take the question out of Congress; and the restriction in Minnesota and Oregon still remains a bone of contention for a future day. When the repeal of the Missouri compromise was urged on the ground that it would quiet agitation, and take this question out of Congress, I declared on this floor that—

"Those who make this declaration with so much apparent sincerity either do not understand the real sentiment of the North, or they fail to comprehend aright the springs of human action. Sir, you are raking open and fanning into a flame coals which were already smothered, and, if left alone, would have buried themselves forever in their own cinders.

"As an early and constant friend of this Administration, I desire the defeat of this bill; for its passage will, in my judgment, insure, beyond a doubt, an anti-Administration majority in the next Congress. As an earnest and devoted friend of the Democratic party to which I have cheerfully given my best energies from my earliest political action, I desire the defeat of this bill; for its passage will blot it out as a national organization, and leaving but a wreck in every northern State, it will live only in history. As a lover of peace, harmony, and fraternal concord among the citizens of the United States, and as a devotee at the shrine of this Union, with all its precious hopes to man, I desire the defeat of this bill; for its passage will tear open wounds not yet healed, lacerate spirits already prostrated, and 'the bond of confidence' which unites the two sections of the Union will be rent asunder, and years of alienation and unkindness may intervene before it can be restored, if ever, to its wonted tenacity and strength."

Sir, history has made those remarks prophetic, though it was but the natural result of that legislation. The responsibility for want of an organization of this House is upon those who reopened this agitation. You trampled down a fair arrangement between the two sections of this Union; you trampled on your own plighted faith, given in the conventions assembled at Baltimore in 1852. Yet scarcely a year had elapsed before the question was reopened in Congress. Wounds were torn open that had just healed; and to-day we find ourselves in the midst of this *quasi* revolution. On the heads, then, of those who trampled down these compacts of good faith be the responsibility.

Sir, by the records of votes here you can prove that almost anybody is responsible for this want

of organization. Did not the gentleman from Alabama, [Mr. WALKER,] the first weeks of the session, propose to the Democracy that the two parties unite, and elect a (what is called) national man Speaker; and are not the seventy-four men who vote for Mr. RICHARDSON responsible because they did not take that proposition? By the same line of argument pursued by my friend from Alabama, [Mr. HOUSTON,] they certainly are. But I do not hold them to any responsibility on such grounds. Gentlemen stand here by their principles. It is said that the gentleman from Ohio [Mr. CAMPBELL] could have been elected, if all the anti-Nebraska men had voted for him. For three days Mr. BANKS was within three of an election. If three of those who voted for others had voted for him, he would now have been the Speaker. You can transfer the responsibility on whom you please by taking the votes as they are on the record, because combinations could have been made at any time by which an election could have been effected. That result could be figured out of the vote of anti-Nebraska men; and the same could be done in the vote of Democrats and Americans. It is not expected that those voting for Mr. RICHARDSON will change their position, because by doing so they may gain a few votes. Nor should it be expected that those voting for Mr. BANKS will change their ground, because by so doing they may secure a few more votes. Those of us who were here at the time resisted the repeal of the Missouri compromise, and were opposed to reopening the slavery agitation. We were borne down then, but our views of the justice of that measure have not changed. What was wrong when enacted never ceases with me to be a wrong.

SATURDAY, January 19, 1856.

MR. QUITMAN. I intended yesterday to take the floor for the purpose of making a few remarks in reply to those which fell from the gentleman from Pennsylvania, [Mr. GROW,] who last spoke upon the subject of the responsibility of the several parties for the failure of this House to organize; but I refrained from doing so in the hope that some other gentleman would have done it. But, there were some expressions that fell from the gentleman from Pennsylvania, in the few eloquent remarks that he made to the House, which I think it my duty to animadvernt upon. He traces the cause of the failure of this House to effect an organization, not to what has occurred during the present session, but he goes back to the passage of the Kansas-Nebraska bill as the cause of the hostile feeling between the different sections of the Union which to-day produces the disorganization of this House.

The gentleman does not go far enough back. Is it, sir, the passage of that bill which has given to all portions of this country their equal rights in this Confederacy—is it the passage of that bill which has produced this state of feeling between the different sections of the country? If it is, then the gentlemen who concur with him have taken the bold position that they will deny to a large portion of this country their common, equal, constitutional rights. If this is the position gentlemen occupy, we from the minority section of the Union would be glad to know it. But, sir, what is the Kansas-Nebraska bill?

What is it but a recognition of the principles which underlie the Constitution of the United States—the right of all the States in their Federal capacity, and the rights of the citizens of the respective States to an equal participation in a country which was acquired by their common blood and treasure—not less by that of the people of the South than that of the people of the North.

But gentlemen are mistaken. They do not travel back to the sources of that angry feeling which exists between the different sections of the Union, when they stop at the passage of the Nebraska bill by the last Congress. That was not the cause of that hostility of feeling which now prevents the organization of this House. That was not the original cause why, at the present time, we find the two sections of the country arrayed against one another. I will tell gentlemen what the cause is. The cause has operated for more than a year. It made its appearance on this floor in 1849, and was only quieted for a time by the compromise of 1850. It broke out afresh in 1855. It is to be found in that spirit of aggression upon the institutions of the South which comes from a portion of that section of the country which the gentleman [Mr. GROW] represents. The South has ever stood by the guarantees of the Constitution; she has adhered faithfully to the system of government under which we live. She has never undertaken to make any encroachment upon any State rights, or upon any individual rights of the citizens of the North. Not so with the North. Upon the application of Missouri for admission into the Union in 1819, she evinced her disposition to exercise her political powers to prevent the increase of slaveholding States, and to deprive the South of her just rights to a participation in all the benefits of the Union. The political strife which grew out of that controversy threatened the dissolution of the Union. It resulted in a compromise unjust to the South, but which she was compelled to accept. The result of that struggle, thus terminated, quelled agitation for a time. It soon rose again with fearful violence, and has been continued ever since.

But the gentleman traces back the cause of this sectional hostility one year only. Let me tell him that, twenty years ago, when I had the honor to send in an executive message to the Legislature of Mississippi, I deemed it proper to call the attention of the Legislature of that State to the aggressive movements in the northern States. Could I have procured that document, I would have read extracts from it to show the truth of my remarks. The South has ever since complained of this intermeddling of the North with her institutions. Yet it has continued without intermission; it is the agitation which that gentleman, and those who coöperate with him, has raised that has produced this feeling between the different sections of this country, and not the passage of the Kansas-Nebraska bill; that was the result, not the cause. It is not because the Kansas-Nebraska bill has taken away a single right from the North, but it is because it has performed a constitutional duty to the South; because it has given to the South the same rights which we acknowledge are possessed by the people of the North. Let the gentleman, then, when

he attempts to trace causes, go back to the sources of this state of feeling, and he will find that it is upon you, northern men, the responsibility of this state of things lies—upon you, who have stirred up this sectional agitation, you who seek to deprive sovereign States of their federal and constitutional rights. When you attempt, then, to trace it back, go to its true source. In the future of our country, if it should happen that the glorious system which our fathers have transmitted to us should fall and tumble into ruin, the verdict of posterity and history will be to condemn the agitators of the slavery question as traitors to the Constitution and to the equal constitutional rights of a portion of this Union. There, sir, I trace it, and there posterity will trace it, and will not impute it to the action of the last Congress in doing what was nothing but mere justice to the South.

Gentlemen tell us here, graciously, that they are not disposed to invade our rights of property within the States. I do not thank them for that. Let me tell them here on this floor—though myself born north of Mason and Dixon's line—that that is not all we desire. No, sir; we desire more. We desire the common benefits of this system of Government. We are not content that that great interest, whose existence in our section of the country has constituted so important an element of your prosperity as well as of ours—that system which God in his infinite wisdom has permitted to be built up in our country to promote, foster, and carry forward its great destiny—should meet a mere tolerance at your hands in the States in which it exists. No, sir; we would be craven, we would be traitors to our constitutional rights, if we did not ask of you what we have a right to demand—the benefits of the great system of government which your fathers and our fathers established. We demand it. We demand its benefits as well for our property as for yours, within the legitimate sphere of its action. We will not be content, we ought not to be content, with anything less. We are willing to meet you here as independent and patriotic men, and stand as equals upon a level, face to face and eye to eye; but we do not intend that you shall be our superiors—that you shall reap all the advantages of our common Government. We want its benefits also, and we insist upon them. You deprive us of most of our constitutional rights when you refuse to us all and every of the blessings which those institutions were intended to secure to all the citizens of every State. Do not be mistaken; let not gentlemen deceive themselves with the idea that we are asking from their bounty mere tolerance of our institutions in the States. We demand all our constitutional rights—I say, we demand them. [Here the hammer fell.]

Mr. GROW. The gentleman from Mississippi [Mr. QUITMAN] complains of remarks made by me yesterday, and refers the agitation which exists in the country at the present moment back to the year 1835, instead of to the repeal of the Missouri compromise. In 1819, gentlemen say, very well. Sir, whether the Missouri compromise was constitutional or not—whether or not it was a violation of your constitutional rights under this Government—your fathers agreed with our fathers, on the 6th of March, 1820, that they

would give up that constitutional right—if they had it—and that slavery should be forever after excluded from the territory north of the line 36° 30'. Of the one hundred and three gentlemen who then represented the South in this House and in the Senate, but forty-six voted against this line. Among the number who sustained it was your own immortal Clay. He declared in the Senate of the United States, in 1850, "that a majority of southern members sustained that wrong—himself among the number." Whether its passage was or was not a violation of a constitutional right, it was "a fair bargain," and good faith required that it should be observed. By it you consented voluntarily to relinquish all right to carry slavery north of the line of 36° 30'; and after availing yourselves of all the advantages secured by that arrangement to you, after converting every foot of territory south of that line into slave territory, you came here, and by force of numbers struck down that bargain which your fathers made, and which was religiously observed for over a third of a century.

Mr. QUITMAN. Do you assert that Mr. Clay voted for the Missouri compromise line?

Mr. GROW. I do assert that Mr. Clay says he voted for the line of 36° 30'.

Mr. HARRIS, of Illinois. He never did say so.

Mr. GROW. And that a majority of southern members in the House and in the Senate voted for it.

Mr. BOWIE. Mr. Clay has stated that he did not vote for that line; he was not present, but he thought that if he had been he would very likely have done so.

Mr. GROW. I refer to a speech made by Mr. Clay in the Senate of the United States on the 6th of March, 1850, in which he says, that "among those who agreed to that line were a majority of southern members," and that "I have no earthly doubt that I voted in common with my other southern friends for the adoption of the line of 36° 30'." That is the language of Mr. Clay, in 1850, in the Senate of the United States. And, although he cannot speak to-day with living voice, he does speak through the records of his country; and I trust that no man will stand here to contradict his own declaration.

Mr. HARRIS. Will the gentleman allow me to interrupt him?

Mr. GROW. No, I cannot now.

Mr. HARRIS. The gentleman dares a contradiction of the statement that Mr. Clay voted for the line of 36° 30'. I wish to furnish a contradiction.

Mr. GROW. You may do so when I get through.

Mr. HARRIS. You challenge a contradiction, and I wish to make it.

Mr. GROW. No, sir, I only refer to the record. One word now in reply to the charge of northern aggressions upon the South, made by the gentleman from Mississippi, [Mr. QUITMAN,] for whom I entertain the kindest feelings; and the remarks I may make I trust will not be considered as in any way reflecting personally upon any southern man. We expect men coming here—reared under the influences which surround them—impressed with the influences of the society in which they live—to hold views upon slavery dif-

faring from ours. With that we find no fault; but we claim the right to hold the sentiments inculcated by the education of our childhood and influences which have surrounded our lives, and that we shall be allowed to express them here or elsewhere with the same freedom as a southern man expresses his, without being disfranchised therefore under this Government.

Sir, what are the northern aggressions that the gentleman speaks of? Let me say to the gentleman—

Mr. QUITMAN, (interrupting.) I desire to ask the gentleman from Pennsylvania this question: whether he himself was not elected as a member of this House on the principle of hostility to the institutions of the southern States?

Mr. GROW. Sir, I hold no "hostility" to the institutions of the southern States, but shall resist the effort now making to change the construction given to the Constitution by our fathers, and the action of every branch of the Government for over sixty years. If any one thing more than another secured my return to this House for the third time, by the unanimous vote of my district, it was no doubt because I had stood upon this floor, and resisted the repeal of the Missouri compromise.

But, let me say to the gentleman from Mississippi, that political Abolitionism in the North—paradoxical as it may seem—is the child of the South. You nurtured it in infancy, when too feeble to stand alone; and you have made it strong in manhood by the injudicious and unjust legislation of this Hall. When the North petitioned this Government to take steps in reference to the institution of slavery, where it is conceded to be solely under the jurisdiction of Congress, you passed the twenty-first rule, denying a great constitutional right to freemen under this Government. That inaugurated political Abolitionism in the North; and from that day to this the warfare has been one of constitutional rights, not for the South *alone*, but for the North. In resisting the reopening of this agitation in the last Congress, by a repeal of the Missouri compromise, I took occasion to say that—

"Previous to that time [i. e. the passage of the twenty-first rule] Abolitionism was but a sentiment, and a mere sentiment is not a sufficient basis for a formidable political organization; but when great principles of constitutional right are violated in the legislation of the country, legislative acts combining with a strong and universal sentiment may form enduring organizations. And the sentiment of the North, in reference to slavery, being deep and general, when you force up legislative issues to combine with it, then becomes a formidable element."

You then placed a censorship over the mails of this country like that placed by Louis Napoleon to-day over the press of France; and in this country, where we claim that intelligence should circulate as free as the air we breathe, you empowered your postmasters to declare what is incendiary, and to withhold such matter from the white freemen of the South. You placed upon the records of your country, through your Secretary of State, John C. Calhoun—a man whose memory I revere for his purity of character and integrity of purpose—one of the brightest and purest intellects that the country ever produced—you put, I say, upon the records of the country, through him, a justification of the annexation of Texas, on the ground that it would uphold and

support the institution of slavery; and you asked northern men to indorse that issue, made in our State papers. And in the last Congress, you struck down—as I stated in the opening of my remarks—a fair bargain, made by your fathers with our fathers, and which had been religiously observed by them for more than a third of a century.

Mr. QUITMAN, (in his seat.) You robbed us of California.

Mr. GROW. The gentleman says that we have robbed you of California. How is that? California came to Congress and asked to be admitted as a State of this Union. Your Government had neglected to give her a Government, and she was forced to fall back upon the inherent rights of men to take care of themselves.

Mr. QUITMAN. Why not extend to California the compromise line?

Mr. GROW. I am coming to that presently. The people of California—in the exercise of what is called popular sovereignty, and which was in this case really so, because the people were forced by the neglect of the Government to rely entirely on their inherent rights—formed a Government, and excluded slavery. And what did you do? The application of California for admission into the Union was resisted from the first; and on the Journal of the Senate of the United States is, to-day, a protest of ten southern Senators against the admission of California into the Union after the act of admission had passed. And what is the reason these Senators gave for their opposition? Because her constitution excluded slavery. I will read the language of their protest.

Mr. HUMPHREY MARSHALL. Will the gentleman from Pennsylvania allow me to make a suggestion here?

Mr. GROW declined to yield the floor, and continued: The reason alleged in this protest is, "that the bill gives the sanction of law, and thus imparts validity to the unauthorized action of a portion of the inhabitants of California, by which *an odious discrimination is made against the property of the fifteen slaveholding States of the Union.*" That was the protest of ten southern Senators, that the admission of California, under her constitution, was a violation of the right of fifteen slaveholding States.

Mr. QUITMAN. Let me tell the gentleman from Pennsylvania that no southern man has ever taken the ground of opposition to the admission of California on the ground of her having adopted a constitution excluding slavery.

Mr. GROW. I refer the gentleman to the language of the protest which I have just quoted. [Here the hammer fell.]

Mr. HARRIS said: I should not, sir, have attempted at this time to occupy the time of the House for a moment, had it not been for the declaration made by the gentleman from Pennsylvania, [Mr. Grow,] who dared any one to deny what he had asserted. In the full confidence that in the denial of that assertion would be the truth I ventured a denial at the time. The statement made by the gentleman from Pennsylvania was, that Mr. Clay was the supporter of the Missouri line of 1820; and he dared any one to deny that such was the fact.

Mr. GROW. I do not think that I dared any

one to deny it, but I appealed to the record for the truth of my assertion.

Mr. HARRIS. Well, whether the gentleman did or not, his words are taken by the reporters, and their record will show how the fact is.

Mr. GROW. Very well; let that determine it.

Mr. HARRIS. But I want to say a few words in connection with this question, and to dispose of the challenge which the gentleman has thrown out to the House. I state here in my place, that the remark which the gentleman made, that Mr. Clay favored the territorial restriction, is not correct. What does the record show? In the first place I read from the 17th volume of Niles's Register, pages 174 and 175, as follows:

"Wednesday, January 26, (1820.) After other business, the House went into Committee of the Whole (Mr. Baldwin in the chair) on the Missouri bill.

"The proposition under consideration was an amendment offered yesterday to the second section of the bill by Mr. Steers, substantially to alter the terms of the proposed State, so as to make the Missouri river the northern boundary, and west of—(with the view of drawing a line on which those in favor of, and those opposed to, the slave restriction might compromise their views.)

"Mr. Storrs rose and withdrew the amendment he offered yesterday, and in lieu thereof submitted the following:

"*Let it stand neither, and it is hereby enacted, That for ever hereafter neither slavery nor involuntary servitude (except for the punishment of crimes for which the party shall have been duly convicted) shall exist in the territory of the United States lying north of the thirty-first degree of north latitude, and west of the Mississippi river, and of the boundaries of the state of Missouri, as established by this act: Provided, That any person escaping into said Territory from whom labor or service is lawfully claimed in any of the States, such fugitive may be lawfully restrained and convicted, according to the laws of the United States in such case made and provided, to the person claiming his or her labor as aforesaid.*

"On this motion a debate ensued of a desultory character. Messrs. Randolph, Lowndes, Mercer, Bush, Smith of Maryland, Storrs, and Clay, successively followed each other in debate."

Now, Mr. Clerk, here is the only meager account we find of the character of that debate; but the question here naturally arises upon which side of that proposition was Mr. Clay found. From the position which Mr. Clay subsequently took in his oratory, in opposition to restrictions upon the State, which he, according to the declaration of the National Intelligencer of this city, rose and spoke for four hours in opposition, the House being in the Committee of the Whole, and when the greatest range of debate was allowed, is it probable that he would have omitted to state his views in reference to this question of territorial restriction? No one can suppose that for a moment; and the question is, what position did he take upon that question? The gentleman from Kentucky, [Mr. HENRY MARSHALL] who has just taken his seat, has stated certain matters which may be adduced collaterally to show what position he took upon that occasion. But there is better proof than that—and I take pleasure in bringing it to the notice of the House, and I wish it to go carefully upon the records of the House, as a declaration which I make by authority. There is now a gentleman living in this city, venerable in years, having been near fifty years in the service of his country, serving her faithfully, whose word has never been questioned, and never will be—who was present and heard Mr. Clay upon both of these occasions, when he debated the resolution of Mr. Storrs and the resolution upon State restriction. He took notes of these

speeches, as he tells me, and he authorizes me to say that Mr. Clay opposed all restrictions either upon territory or State, [“Who is it?”] General Jesup, whose authority no man will question. He says he heard Mr. Clay upon this floor upon both of those occasions, and took notes of his remarks. He has them now, and he proposes to give them to the public at a proper time. He says Mr. Clay opposed restriction upon both branches of this subject, and that he was opposed to all restriction. He also details the line of argument pursued upon those occasions.

But upon other facts of individual recollection, from other notes and memoranda taken at the time, there can be no doubt as to Mr. Clay's position upon that question; and it was to correct that misrepresentation of the gentleman from Pennsylvania, and to place the correction before the country, that I rose, and for nothing more; and having made the statements I have, in connection with the remarks of those gentleman from Pennsylvania, I have nothing more to say.

Mr. GROW. I shall say but a few words in reply to the gentleman from Illinois. The effort which he has made to change the record of the country by citing officers of the Army, or any living witness, will not, I trust, be admitted here, or in the country, against the declarations of the living man, made in the Senate of the United States in his own vindication.

That Mr. Clay was opposed to any restriction on the State of Missouri there is no question. He resisted it from first to last. That is not the question in controversy. The question is, whether he was in favor of the adoption of the line 36° 30', north of which slavery should be forever prohibited; and I will read an extract from his own remarks, where he himself, on the sixth of February, 1850, gives the history of the whole transaction. In that history he clears up the misapprehension which existed in the country that he was the originator of that proposition. That fact he denied. In that speech he reviewed the controversy, stating his connection with it. I did not claim that he was in favor of a restriction on the State, but that he was in favor of the line of 36° 30', and that a majority of southern men supported it. And what is the record? Mr. Clay says:

"Mr. Thomas, acting in every instance, presented the proposition of 36° 30', and it was finally agreed to. But I take the occasion to say, that among those who agreed to that line, were a majority of southern members."

"My friend from Alabama in the Senate [Mr. King] Mr. Pinckney, from Maryland, and a majority of the southern members in this body, voted in favor of the line of 36° 30' and a majority of the members in the other House, at the head of whom was Mr. Lowndes himself, voted also for that line. *I have no doubt that I did also.*"

"But, as I was Speaker of the House, and as the Journal does not show which way the Speaker votes, except in the case of a tie, I am not able to tell with certainty how I myself did vote; but *I have no earthly doubt that I voted, in common with my other southern friends, for the adoption of the line 36° 30'.*"

Mr. Clay's own declaration, made by himself! And the summoning of living witnesses to contradict him raises a question, not between me and the witnesses whom you summon, but a question between the declaration of your own Clay and that of your witnesses. There I leave you.

I leave the record, then, with the living witnesses whom you summon to impeach the declaration of your own immortal statesman. But,

sir, from the archives of your country comes the declaration of one of the living actors of the times, that the South regarded the adoption of that line of $36^{\circ} 30'$ as a *triumph*. Charles Pinckney wrote from this Capitol at midnight—for it seems that all of these slavery laws must be passed in the darkness of the night; twelve o'clock seems to be the fitting hour for passing all compromises in regard to slavery, and for repealing them—at least such is the history of the country—Mr. Pinckney, writing from this Hall at the dead hour of the night, in 1820, says:

"DEAR SIR: I hasten to inform you that this moment we have carried the question to admit Missouri and all Louisiana to the southward of $36^{\circ} 30'$ free of the restriction of slavery, and give the South in a short time an addition of six and we hope eight members to the Senate of the United States. It is considered here by the slaveholding States as a GREAT TRIUMPH."

It was considered by the South at the time as a great triumph. And yet men stand here and tell us that it was forced upon them by the North. In the Senate of the United States, on the engrossment and passage of the bill, twenty southern Senators voted for it—two only against it.

But four northern Senators voted for that line—eighteen against it. But two southern Senators voted against it—twenty for it. Among the latter were both Senators from Virginia, Louisiana, Tennessee, Georgia, Kentucky, Missouri, Alabama, Mississippi, and Delaware, with Mr. Stokes, of North Carolina, and Mr. Giliard, of South Carolina—leaving two against it.

Now there is another part of this letter of Mr. Pinckney's, which is testimony contemporaneous with the passage of that compromise which has been so ruthlessly stricken down:

"To the north of $33^{\circ} 30'$ there is to be, by the present law, restriction, which, you will see by the votes, I voted against. But it is at present of no moment. It is a vast tract, uninhabited by savages and wild beasts, in which not a foot of the Indian claim to soil is extinguished, and in which, according to the ideas prevalent, no land office will be opened for a great length of time."

But when a *land office* comes to be opened, you come here and strike down this restriction—strike down everything which the North thought she had secured by that arrangement.

The gentleman from Kentucky [Mr. HUMPHREY MARSHALL] said, in the way of interrogatory, that I would not agree to extend the Missouri compromise line to the Pacific. That is true. He undertook to say, however, that the North had not been faithful to the compromise of 1820. Sir, what was the Missouri restriction applied to? To the territory purchased of France—to that alone, and nothing else. It was not applied to any other territory, for there was no other to apply it to. Then, has it not been adhered to by the North in its application to the territory to which it was applied? Was it not put on the statute-book on the 6th of March, 1820; and did it not continue a valid enactment, without change or alteration, till the passage of the Nebraska bill by the last Congress? How then was it abandoned? Gentlemen complain that when Missouri asked to be admitted into the Union, the North objected to her admission.

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It was in that compromise that Mr. Clay figured as the originator. He brought in a proposition to harmonize that question, and it passed. But there was no question raised, at that time, about

the line of $36^{\circ} 30'$, nor at any other time, so far as the Louisiana purchase was concerned, the only territory to which that arrangement applied.

But when the Government acquired new territory, to which we were asked to apply that line, we said "no." And why? Because, while you

would hem us in, in our territorial expansion, by this line on the south and the British possessions on the north, you would be left almost indefinite expansion on the south. Would it then have been fair for the North to have hemmed herself in forever upon twelve and a half degrees of latitude, over which to carry free labor and free institutions; while leaving almost indefinite expansion to the institutions of slavery? Besides,

sir, we had acquired free territory—territory in which slavery was abolished by the laws of Mexico—and we were asked to make it, by act of Congress, slave territory. To such a proposition I answer the gentleman, in the language of Kentucky's own illustrious statesman, "I never will vote, and no earthly power will ever make me vote, to spread slavery over territory where it does not exist." That was the declaration of your own Clay, made on the 6th of March, 1850. It was almost his dying declaration, and it will live among the proudest legacies that he has bequeathed to after times. Sir, I stand with him in declaring that by no act of mine shall slavery ever be carried into any territory from which it is excluded by positive law.

Mr. HUMPHREY MARSHALL. The gentleman from Pennsylvania will allow me to say, that there is not a southern Representative on this floor who will vote to spread slavery over territory where it does not exist.

Mr. GROW. But the proposition to extend the Missouri compromise line through the acquisition of Mexican territory was in fact the same thing. It was saying, by legislative act of this Republic, that slavery might exist in that Territory, notwithstanding the laws of Mexico prohibited it. We were asked to strike off all restrictions by a positive legislative act. If slavery had then gone into that Territory, it would have been the act of this Government, as in the case of Kansas now. If slavery plant itself there, who is responsible for it? The men who struck down that restriction; for, with the Missouri compromise in force, slavery could never have gone there. If then it goes there during its territorial existence, while under the jurisdiction of Congress, it is just the same in effect as if carried there by your votes, for you permit to be done what you have the power to prevent.

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